

Appln. No. 10/523,348  
Response Dated 09/29/2005  
Response to Notice to File Missing Parts of 07/29/2005  
Attorney Docket No. 44471/311941

## EXHIBIT B



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/523,348	Etsuko Koyanagi	44471/311941

INTERNATIONAL APPLICATION NO.
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PCT/JP03/09683

I.A. FILING DATE	PRIORITY DATE
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07/30/2003

07/30/2002

23370  
 JOHN S. PRATT, ESQ  
 KILPATRICK STOCKTON, LLP  
 1100 PEACHTREE STREET  
 ATLANTA, GA 30309

RECEIVED  
 AUG - 5 2005  
 DOCKETING

CONFIRMATION NO. 8308  
 371 FORMALITIES LETTER



\*OC000000016603066\*

Date Mailed: 07/29/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/28/2005
- English Translation of the IA filed on 01/28/2005
- Copy of the International Search Report filed on 01/28/2005
- Preliminary Amendments filed on 01/28/2005
- Information Disclosure Statements filed on 01/28/2005
- U.S. Basic National Fees filed on 01/28/2005
- Priority Documents filed on 01/28/2005
- Specification filed on 01/28/2005
- Claims filed on 01/28/2005
- Abstracts filed on 01/28/2005
- Drawings filed on 01/28/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

KS Docketing

Docketed for: 9-29-05  
 Entered on: 8-24-05  
 Initials: 1004  
 Previously Entered: \_\_\_\_\_

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/523,348	PCT/JP03/09683	44471/311941

FORM PCT/DO/EO/905 (371 Formalities Notice)

Appln. No. 10/523,348  
Response Dated 09/29/2005  
Response to Notice to File Missing Parts of 07/29/2005  
Attorney Docket No. 44471/311941

## EXHIBIT C

# COPY

PTO-1390 (Rev. 12-2004)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NUMBER</b> <b>44471/311941</b>
		<b>U.S. APPLICATION NO. (If known, see 37 CFR 1.5)</b>
<b>INTERNATIONAL APPLICATION NO.</b> <b>PCT/JP2003/009683</b>	<b>INTERNATIONAL FILING DATE</b> <b>July 30, 2003</b>	<b>PRIORITY DATE CLAIMED</b> <b>July 30, 2002</b>
<b>TITLE OF INVENTION</b> Retry Communication Control Method and System, Packet Transfer Possibility Determination Method, Packet Transfer Apparatus, Packet Transfer System, Packet Monitor Method, Call Control Apparatus, Monitor Apparatus and Programs		
<b>APPLICANT(S) FOR DO/EO/US</b> <b>Etsuko KOYANAGI, Satoshi MIYAYAMA, Naotaka MORITA, and Shunsuke MORI</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"><li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li><li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li><li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li><li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li><li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<ol style="list-style-type: none"><li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li><li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li></ol></li><li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<ol style="list-style-type: none"><li>a. <input checked="" type="checkbox"/> is attached hereto.</li><li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li></ol></li><li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ol style="list-style-type: none"><li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li><li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li><li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li></ol></li><li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li><li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li><li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li></ol>		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
<ol style="list-style-type: none"><li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li><li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li><li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li><li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li><li>15. <input type="checkbox"/> A substitute specification.</li><li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li><li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</li><li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li><li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li><li>20. <input type="checkbox"/> Other items or information:</li></ol>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO-1390 (Rev. 12-2004)  
Approved for use through 3/31/2007. OMB 0651-0021  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. <b>PCT/JP2003/009683</b>		ATTORNEY'S DOCKET NUMBER <b>44471/311941</b>	
21. The following fees are submitted:				Applicant use	Office use only
<input checked="" type="checkbox"/> a) Basic national fee..... \$300.00				\$ 300	
<input checked="" type="checkbox"/> b) Examination fee..... \$200.00				\$ 200	
<input checked="" type="checkbox"/> c) Search fee..... \$500.00				\$ 500	
<b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b>				<b>\$ 1000</b>	
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
212 - 100 =	112 /50 =	3	x \$250.00	\$ 750	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	80 - 20 =	60	x \$50.00	\$ 3000	
Independent claims	31 - 3 =	28	x \$200.00	\$ 5600	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$ 0	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 9480</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				<b>\$ 10480</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0	
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 10480</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 0	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 10480</b>	
Amount to be refunded:					\$
Amount to be charged					\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>10,480.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>11-0855</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. Certificate of Mailing 37 CFR 1.8(2)(A) Express Mail No.:</p> <p>SEND ALL CORRESPONDENCE TO:</p> <div style="display: flex; justify-content: space-between;"> <div> <p>Customer No. 23370 John S. Pratt, Esq. Kilpatrick Stockton LLP 1100 Peachtree Street, Suite 2800 Atlanta, GA 30309-4530 404.815.6500</p> </div> <div style="text-align: right;"> <p><i>Brenda O. Holmes</i> SIGNATURE <b>Brenda O. Holmes</b> NAME <b>40,339</b> REGISTRATION NUMBER</p> </div> </div>					

KILPATRICK STOCKTON LLP

WACHOVIA A\

NT NO: 2000131592388

DATE: 01-28-05 PAYEE: Commissioner for Patents

VENDOR # 24959

CHECK #: 382145

REF. #	G/L #	INVOICE #	INV. DATE	DESCRIPTION	AMT. PAID
651019	20999010000000000	012805H	01-28-05	311941-U.S. National phase filing fee 80 total claims. 31 independent claims. 212 total sheets. Large entity.	10,480.00
TOTAL					10,480.00

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KILPATRICK STOCKTON LLP

OPERATING ACCOUNT

1100 Peachtree Street

Atlanta, GA 30309-4530

DATE  
01-28-05

WACHOVIA

Atlanta, GA 30383

NO. 382145

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